

**UNITED STATES DISTRICT COURT**

# UNITED STATES OF AMERICA

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**CRIMINAL NO. 16-CR-00183-02**

# VERSUS

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**JUDGE FOOTE**

**MICHAEL MCDANIEL**

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**MAG. JUDGE WHITEHURST**

## REPORT AND RECOMMENDATION ON FELONY

Pursuant to Title 28, United States Code, Section 636(b), and with the written and oral consent of the defendant, this matter has been referred by the District Court for administration of Guilty Plea, and Allocution under Rule 11 of the Federal Rules of Criminal Procedure.

This cause came before the undersigned U. S. Magistrate Judge for a change of plea hearing and allocution of the defendant, MICHAEL MCDANIEL, on April 25, 2017. Defendant was present with his counsel Albert M. Fong.

After said hearing, and for reasons orally assigned, it is the finding of the undersigned that the defendant is fully competent, that his plea of guilty is knowing and voluntary, and his guilty plea to Count ONE of the Indictment, is fully supported by a written factual basis for each of the essential elements of the offense.

Therefore the undersigned U.S. Magistrate Judge recommends that the District Court **ACCEPT** the guilty plea of the defendant, MICHAEL MCDANIEL, in accordance with the terms of the plea agreement filed in the record of these proceedings, and that

MICHAEL MCDANIEL be finally adjudged guilty of the offense charged in Count One of the Indictment.

**THUS DONE AND SIGNED** in chambers in Lafayette Louisiana this 26<sup>th</sup> day of April, 2017.

A handwritten signature in black ink, appearing to read "Carol B. Whitehurst".

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CAROL B. WHITEHURST  
UNITED STATES MAGISTRATE JUDGE